## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at CHATTANOOGA

JEFFREY MARK BAUGHN,	)		
	)		
Plaintiff,	)		
v.	)	No.	1:09-cv-60
	)	Edgar	r/Carter
DETECTIVE BRIAN ASHBURN IN HIS	)		
OFFICIAL CAPACITY; SHERIFF JIM	)		
HAMMOND IN HIS OFFICIAL CAPACITY	<i>Y</i> ; )		
	)		
Defendants.	)		
MEMO	ORANDUM	[	

Plaintiff Jeffrey Mark Baughn ("Baughn") filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 [Court File No. 1]. On June 3, 2009, the Court issued an order directing Baughn to complete the service packets and return them to the District Court Clerk within twenty (20) days from the date of receipt of the order [Court File No. 4]. Baughn was forewarned that failure to return the completed service packet within the time required could jeopardize his case. In addition, he was forewarned that failure to provide a correct address to the Court within ten days following any change of address would result in the dismissal of this action.<sup>1</sup>

Baughn has not responded to the Court's June 3, 2009, Order. Baughn's failure to timely respond to the Court's Order results in a finding by the Court that Baughn has failed to comply with its Order. Consequently, the Court will dismiss Baughn's complaint for noncompliance with its Order and failure to prosecute.

On June 3, 2009, the Clerk sent a copy of the Court's Order to Baughn at the Hamilton County Jail address which he supplied. The Court's Order was returned to the Clerk's office as undeliverable as addressed [Court File No. 5]. On June 16, 2009, the Clerk resent the Order with the complete address. That Order was not returned.

Rule 41(b) of the Federal Rules of Civil Procedure allows a court to dismiss an action sua

sponte for failure to prosecute or for failure to comply with the federal rules or any court order.

This authority is based on the Court's inherent authority to control its docket and prevent undue

delays in the disposition of pending cases.

Therefore, this action will be **DISMISSED** for Baughn's failure to prosecute and to comply

with the orders of this Court. Fed. R. Civ. P. 41(b); Jourdan v. Jabe, 951 F.2d 108 (6th Cir. 1991).

A judgment will enter.

/s/ R. Allan Edgar

R. ALLAN EDGAR UNITED STATES DISTRICT JUDGE

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